STREET SPIRIT

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JUSTICE NEWS & HOMELESS BLUES IN THE BAY AREA

A Futile and Brutal Act

Berkeley's New Anti-Homeless Laws

"Berkeley continues to outlaw homeless people in the face of overwhelming statements from the federal government and from nearly every university school of health and law school that says that criminalizing the poor is *a futile and brutal act*."

— Max Anderson, Berkeley City Council

Homeless advocates begin an all-night vigil in front of old City Hall in protest of the Berkeley City Council's anti-homeless laws. Photo credit: Kevin Cheung, Daily Cal

by Terry Messman

It was the best of Berkeley and the worst of Berkeley. On one side was the Downtown Berkeley Association, the Chamber of Commerce, and a six-member voting bloc of the City Council acting as a political machine to rubber-stamp the directives of big business.

On the other side was the conscience of Berkeley, in the form of hundreds of concerned citizens who lifted up their voices in defense of human rights, international law, humane treatment, justice and compassion — all to no avail.

At a crucial moment when the U.S. Department of Justice and the Department of Housing and Urban Development have warned U.S. cities to stop passing anti-homeless laws, and two United Nations agencies have officially declared that U.S. cities are violating international law by criminalizing homeless people, Mayor Tom Bates and the Berkeley City Council voted 6 to 3 in favor of draconian new measures to persecute homeless people.

Yet, it was the best of Berkeley because so many people cared so deeply about the city's homeless residents and offered powerful and electrifying calls for compassion and social justice. Many people present at the council meeting on November 17 said afterwards that they were so moved by the inspiring statements of so many who waited for hours in the council chambers to testify, that it felt like a moral victory for human rights despite the passage of the anti-homeless laws.

Berkeley activist Sally Hindman said it felt like "cognitive dissonance" when immediately after the council listened to several hours of compelling testimony about human rights, the council majority ignored every one of the eloquent voices raised in defense of the city's poorest residents, and voted to pass the draconian laws.

The City Council's first vote on November 17 was followed by their second, and final, vote in favor of the anti-homeless measures on December 1.

The new law severely limits the amount of sidewalk space where people can have their belongings to two square feet, and bans lying on the rims of planters. People with shopping carts will be forced to move all their possessions every hour. The law also bans urinating and defecating in public even though many called that provision a misleading smoke screen aimed at maligning the poor, since it is already illegal.

At one point, Attorney Osha Neumann walked up to the microphone and told the City Council that "the fix is in," then deliberately turned his back on the council and directly addressed the large number of homeless advocates who packed the council chambers. He said that despite the majority vote for the anti-homeless laws, people had succeeded in joining together in a struggle that would continue to defend the rights of homeless people.

In an evening packed with inspiring speakers, the most eloquent testimony by far came at the very end, when Berkeley City Councilmember Max Anderson called forth memories of an earlier struggle for civil rights in our nation's history.

Anderson, an African-American councilmember representing District 3, was one of three dissenting votes to the anti-homeless measures, along with Kriss Worthington and Jesse Arreguin.

Anderson delivered the most magnificent statement of the evening, a powerful moral indictment of the Berkeley City Council for following in the segregationist footsteps of Mississippi and Alabama.

He put Berkeley's efforts to punish the poor in historical perspective, reminding everyone that the council has constantly attempted to criminalize homelessness for more than 20 years, going back to

See **A Futile and Brutal Act** *page 6*

Suitcase Clinic's Solidarity with People on the Street

by Caroline Pohl

"When homeless people show up, everyone shuts up." — Dana Minton, a Suitcase client at General Clinic.

On November 17, Berkeley's City Council met to vote on newly proposed anti-homeless ordinances, which would include criminalizing the placement of a cart for more than one hour in the same area and forcing homeless individuals to confine their belongings to an area measuring only two feet by two feet.

In return, these laws made empty promises to build more restrooms and showers, as well as provide storage places for homeless persons. Undeniably, these ordinances were purposefully constructed to target Berkeley's homeless community, and to create a new form of criminalization for this already underrepresented group in government.

It was a typical Tuesday night at General Clinic, as Suitcase Clinic members and SHARE coordinators — Brandon Chen, Jenny Liang, and Vanessa Briseno — prepared for their weekly SHARE discussion with our clients.

General Clinic is a drop-in center where homeless individuals can receive medical, optometry or dental care, talk to a lawyer, pick up hygiene supplies or receive other services such as acupuncture, laundry or footwashing.

This week, however, the SHARE discussion group would be held at the City Council, providing clients with a literal voice in politics and their community. The SHARE coordinators had reserved a place to speak at the meeting if our clients so desired.

Before we left, the conversation at General Clinic gradually drifted towards the unavoidable topic at hand. In reflecting on a previous council meeting on different anti-homeless laws, Dana Minton discussed the positive response met by the activism of 200 homeless individuals.

"Empathy shows," said Dana. "When the homeless show up, everyone shuts up."

Rafael Dang, another regular at General Clinic, agreed. Having moved to the United States quite a few years ago, Rafael was concerned about the city of Berkeley infringing on our human rights. "I believe everyone is free to be homeless," said Rafael.

Christopher Cort, previously a professor at UC Berkeley and another client of General Clinic, summed up the conversation nicely as we started out towards City Hall, declaring that he "opposed everything that makes life harder for the homeless."

See **Solidarity of Suitcase Clinic** *page 11*

A view from the steps of City Hall at the Berkeley City Hall Occupation. The occupation has given homeless people a voice and a visible presence. Lydia Gans photo

"Through our attendance at the City Council meeting, I think we played a role in empowering our clients who spoke out against the criminalization of homelessness. More importantly, we stood in solidarity with them."

— Vanessa Briseno, Suitcase Clinic

Nothing Works Quite As Well As Housing

A Column on Human Rights
by Carol Denney

A small news item showed up in *The Berkeley Daily Planet* around the same time as Mayor Tom Bates and his team methodically passed their law criminalizing having more than two square feet of belongings in public.

A local artist had all of his work stolen from a storage facility. He had property stolen as well, property which apparently showed up later for resale at Moe's Books and Amoeba Music. But his original artworks, a colorful collection including unique prints and monographs (perhaps without the same immediate resale value), appear to be gone forever.

Berkeley City Councilmember Linda Maio of District One told the whole town all summer that homeless people "can put their stuff in parks, they can sleep in parks, they can hang out in parks," to excuse her two-square-feet sidewalk law, generating a park-protective backlash that she used to grease the way to criminalizing more obvious attributes of homelessness with the usual sweeteners, such as non-existent bathrooms, storage and services.

People who attended the overflowing City Council hearing on November 17 were treated to a letter from the business (oh yes, it is a business) run by Jack Petranker called the Mangalam Research Center for Buddhist Languages which claimed their business (yes, it is a business) was down because of the terrible homeless people across the street whom they're not sure, but might be stealing bicycles and are just so icky anyway.

This would be the *new* Buddhism, since the old Buddhism had a slightly different perspective on the poor. And it was especially interesting to those of us who have had the police explain that as a matter of policy, they are purposefully moving people from Shattuck Avenue down to Harold Way. I'm not suggesting this is a nefarious conspiracy. I'm just saying.

None of the anti-poor stuff was particularly original or unexpected. Criminalizing poverty has become a holiday tradition in Berkeley as predictable as Muzak in retail stores playing "Silver Bells." Some wondered if the official statements from the Department of Justice and the Department of Housing and Urban Development advising *against* criminalization measures would have any effect. They didn't. People who criminalize poverty are great at characterizing it as a safety or public health measure, and the new burden it puts on grant writers is apparently not a compelling concern, even though it affects around seven million dollars of our HUD funding.

But the real public health crisis is the fact that our current housing policy — the result of 30 solid years of Mayor Tom Bates and, before that, his wife, former Mayor Loni Hancock's complete neglect of affordable housing and homeless residents in Berkeley— presumes that having people sleeping in parks, under bushes, and tucked away as best they can under every overpass and in every alley, is just the way things are. Wave to your nearby homeless people in your park as you and your kids enjoy a picnic, brought to you by the developer-friendly policies of your local and state politicians.

But the neighbors are right. No park is designed as a campground, and the necessity of clean, safe parks is better understood in Berkeley than most places, although park maintenance is still woefully underfunded. None of them, by the way, spoke directly in favor of the criminalization elements in Maio's proposal, just in favor of the same things any homeless person living unhappily in a park wants — safe surroundings, convenient, available bathrooms, and the enforcement of the laws we already have.

A sleep-out began at City Hall on November 16 in protest of Berkeley's anti-homeless laws, and then it grew into a longer term occupation. Carol Denney photo

The campground of necessity should be the City Hall grounds, where there are no more green lawns to confound any more with tarps and tents, thanks to the drought, and where public officials have to meet the people their luxury-housing-only policies have affected.

The little news story about the local artist who lost all of his work was probably too small to capture much attention. This man's artwork was in a fully paid U-Haul storage locker. Many artists use storage lockers after generating an inconvenient amount of canvases, especially those who work without dedicated studio space once plentiful in a now priced-out Bay Area.

But the item I read and re-read like a powerful book was the perfect morning-after to the sad council meeting in which hundreds of people brought compelling testimony to a council majority that ignored them.

A friend of mine's roommate and close friend died unexpectedly a few weeks ago, and even more unexpectedly, her landlady told her to vacate the apartment at the end of that month, ostensibly for repairs which need a permit she has yet to pull.

My friend is a disabled senior on a fixed income in one of the few remaining rent-controlled apartments in Berkeley. Even if she can struggle through the difficulties that confront a disabled woman trying to establish many years of tenancy on paper and establish her right to stay, she faces living on a pittance, nursing every dollar, and hoping for the best.

Her top concern, when we speak, is making certain that her roommate's artwork is preserved, and that the work be organized and recognized so that her roommate's value as an artist is not overlooked. My friend is an artist herself, as am I, so there flows between us, even in a time of community and personal crisis, an understanding that some things are just the things you do because you care.

To the man who lost so much of his personal artwork in the U-Haul robbery, thank you for personalizing what our City Council majority (Max Anderson, Jesse Arreguin, and Kriss Worthington excepted) does not seem to grasp about the perils of storage even in the best of circumstances — even assuming the City of Berkeley gets itself into the business of trying to provide it, since right now no storage exists for people who can't pay the cost. Because his story helps those who need to think about it crystallize one clear thought: nothing quite works so well as *housing*.

Berkeley's Sleep-In Occupation Has Location! Location! Location!

by Carol Denney

A creative group of people has solved the storage problem for about 50 people without homes in Berkeley, California. With no money, no forms to fill out, with just a spirit of fellowship and cooperation, the sleep-in (or occupation) on the steps of old Berkeley City Hall which began on November 16, 2015, in response to new anti-homeless laws, solved an issue which Berkeley city leaders have been unable to solve for more than 30 years.

These people are working together with community support to build a cooperative community occupying the old City Hall steps on Martin Luther King Jr. Way.

The location of the colorful tents and tables has a lengthy list of advantages over the City Council majority's plan for homeless people, which for 30 years, has been to chase people all over town, constantly change both written and unwritten rules, and provide assistance to an extremely small ratio of the people in need, with no storage or safe place to rest for anybody else. For about 30 years, it's been a shell game where the respite is temporary, the stakes are high, and the disinterest from Berkeley voters is deafening.

A sign bears a message: *"This is an occupation, not an encampment."* Lydia Gans photo

The occupation at Martin Luther King Jr. Way, on the other hand, is storing gear for about 50 people near transportation and services and has a grassy area for tents with soft lighting at night from nearby streetlights. There are two port-a-potties right across the street in a public park right by City Hall, the main library, and the Public Safety Building.

It's right by the farmers market, out of the way of shoppers and tourists, and located on public property near an almost unused building where the City Council meets in the old council chambers.

It may not be perfect, especially in the near-freezing temperatures the occupation's residents are currently enduring, but the creativity and poetry is top notch, and the environmental standards would give it a platinum LEED rating. **Bring some hot food and come on by.**

Two weeks into the occupation, they have developed a proposed government they shared with supporters, declaring: *"Our first proposed government here at the Berkeley City Hall Occupation is done. We may need some minor adjustments as we develop and grow. Self rule with consensus. A desired 100% consensus, with a graduated scale."*

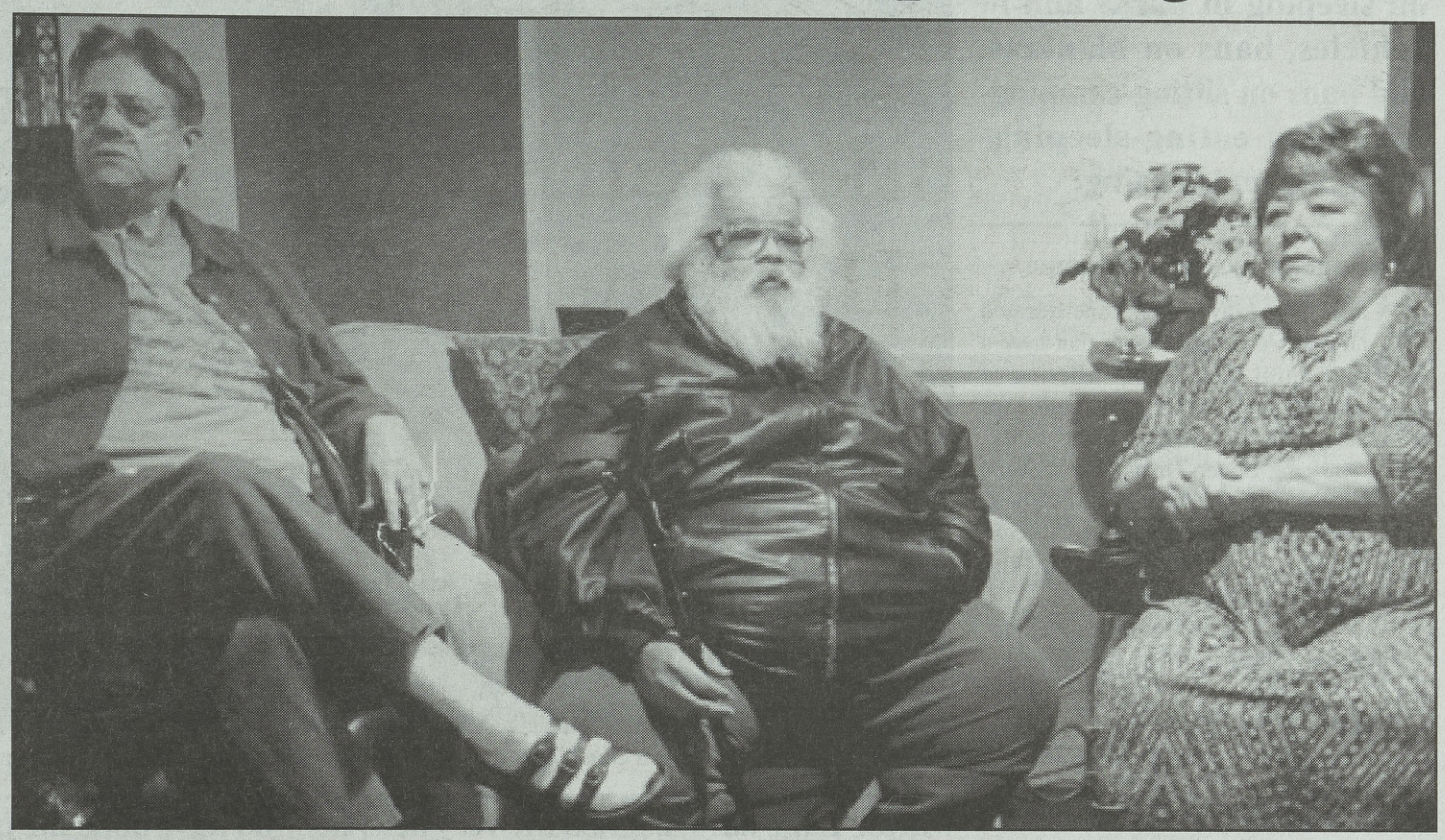
Their plan details intricate and thoughtful gradations of consensus, such as: *"70% minimum to approve, but must be revisited monthly to revise and improve consensus percentage. At 80% approval, item gets revisited every two months to revise and improve consensus percentage. At 90% approval, item gets revisited every 6 months to revise and improve consensus. Once 100% approval is reached, the only way to revisit is with 51% approval to revisit."*

The statement concludes: *"As the village evolves, these guidelines will allow for the government and community guidelines to evolve."*

The Management of Redwood Gardens Threatens Senior Residents with Eviction for Speaking Out

The lawyer warned tenants to "cease and desist" any and all criticism of management. Must they surrender their freedom of speech and right to privacy when living in the project?

by Lydia Gans



Senior tenants are facing threats from management. From left, Peni Hall, Gary Hicks and Eleanor Walden. Avram Gur Arye photo

The residents at Redwood Gardens, the HUD project on Derby Street in Berkeley for low-income seniors and people with disabilities, are again being reminded that they have little power to control their living conditions. Their lives are in the hands of the management, and they've found that expressing opposition to the actions or policies of management can have serious consequences.

The building owners recently hired a new on-site property manager and her relations with the residents got off to a bad start and have not improved. When she came to the project, the members of the Residents' Council were interested in getting acquainted and suggested inviting her to their next meeting. Council Co-chairs Eleanor Walden and Gary Hicks sent her an invitation.

Walden reported to the members on the response. "The newly hired Acting Property Manager, Liana Bates-Hall, just paid me a visit. In response to our invitation to come to the Residents' Council meeting she categorically refused. She said she had no responsibility to meet with us as 'we don't sign her pay check.' She defined her job solely as carrying out the rules of those who do sign her paycheck. I told her that her responsibility was greater than that in that she was under the direction of the HUD contract as held by CSI and that the residents were part of the conglomerate of participants with whom she needed to work. Her manner was surprisingly adversarial and conveyed an attitude of disrespect for the Residents' Council as having no authority. She said we are 'tenants' and have only one duty and that is to 'pay our rent and obey the rules.'"

Walden said that the residents wanted to see her resume. Not surprisingly, Bates-Hall refused. Walden writes, "Although I admit to being a bit heavy handed by asking for her resume, I don't think it is outrageous. If someone asked for my resume I would be glad to provide it. She is already employed, so it will not be held against her and we will know what we have to work with. I hear through my grapevine that she has a military background. And that is exactly how she has come on. Her behavior was a good example of bullying, in my opinion."

In the two months the new property manager has been at Redwood Gardens, tenants have been increasingly frustrated at seeing new rules and changes made with no warning, and with what feels like no concern for their peace of mind and quality of life. People have mentioned various issues, among them a two-day notice of mandatory apartment inspection, increases in deposits and fees for various community amenities and replacement of garden furniture without regard to users' comfort.

Though the tenants might voice complaints, they have little power to affect management practices. Management, on the other hand, can seriously affect the quality of their lives. And management is threatening to do just that.

Five of the tenants have received letters from a law firm, Kimball, Tirey & St. John in Walnut Creek, accusing them of harassing the manager, Ms. Bates-Hall, and warning them that they could be evicted. Eviction from the project means losing access to low-income housing, and being reduced to homelessness. For those who are elderly or disabled, it would be devastating.

Each of the five targeted people received somewhat different letters making various charges, but basically with the same intent. The five-page letter addressed to the co-chair of the Residents' Council, Gary Hicks, is one example.

It begins with the charge that the "tenant organization ... has been engaging in conduct which is tantamount to harassment." The term "harassment" seems to be rather open to interpretation. Some of the tenants have described their encounters with Bates-Hall as harassment.

The management's lawyer charged that Gary Hicks, "through your affiliation as a member of the Redwood Gardens Residents' Council, have continually, frequently and on a consistent basis harassed her ... as well as instigated other residents to do the same, including, but not limited to requesting evidence of her qualifications for her employment position ... name-calling her to other residents including but not limited to calling her a bully and making false accusations against her, such as that she was hired by a company with a suspended license."

As a matter of fact, this last item came from an article by reporter Lynda Carson in Bay Area Independent Media (Indy Bay), certainly not from Hicks.

The lawyer's letter refers to the Lease Agreement stating that a tenant can be evicted for noncompliance which includes "repeated minor violations of this Agreement which disrupt the livability of the project, adversely affect the health or safety of any person or the right of any tenant to the quiet enjoyment of the lease premises and related project facilities..."

People might recall the actions of the management last year when they engaged in a massive remodeling process requiring tenants to move their belongings, stay away from their units in some cases for an extended period of time, and in general creating an extremely stressful situation. Regarding project facilities, they moved a laundry to an inconvenient location and closed off the popular community room for over a year.

It seems that it was acceptable for management to "disrupt the livability or the quiet enjoyment of the lease premises."

Furthermore, addressing the Residents' Council, the lawyer writes that the fact that some residents disagree with the "disparaging views or actions espoused by your organization ... disrupts the livability of the project ... (and) disturbs the peace and quiet of other residents ..."

Several paragraphs are devoted to discussing Ms. Bates-Hall's refusal to attend meetings of the Residents' Council. "Her refusal is not grounds to make or express false negative inferences to act as manager of the community and you must cease any and all communications of such views expressed to other residents."

The management's lawyer appears to be denying the First Amendment right to freedom of speech for the tenants. They have been warned that they are not allowed to express an opinion about the management, and are not allowed to speak out about the policies that affect their daily lives. It is difficult to believe that this suppression of First Amendment rights is occurring in Berkeley.

There are other references to conversations about management among residents. Does this mean that people must surrender the freedom of speech and their right to privacy when moving into the project?

Basically, the charges and accusations made in the letter are easily challenged and the residents do have some access to legal aid. But the underlying message is the reminder that they have no power over their circumstances. They have no choice but to "pay the rent and obey the rules." *Noncompliance can result in "termination* of tenancy."

And the final kick is in the last paragraph, in bold print, headed with the warning to **CEASE AND DESIST.**

Gimme Some Truth

Compiled by Daniel McMullan

I've had enough of reading things by neurotic, psychotic, pigheaded politicians. All I want is the truth, just gimme some truth. — *John Lennon*

Home is a notion that only nations of the homeless fully appreciate and only the uprooted comprehend. — *Wallace Stegner*

It is forbidden to kill; therefore, all murderers are punished unless they kill in large numbers and to the sound of trumpets. — *Voltaire*

I am convinced that imprisonment is a way of pretending to solve the problem of crime. It does nothing for the victims of crime, but perpetuates the idea of retribution, thus maintaining the endless cycle of violence in our culture. It is a cruel and useless substitute for the elimination of those conditions — poverty, unemployment, homelessness, desperation, racism, greed — which are at the root of most punished crime. The crimes of the rich and powerful go mostly unpunished. — *Howard Zinn*

Man is the only animal that deals in that atrocity of atrocities, War. He is the only one that gathers his brethren about him and goes forth in cold blood and calm pulse to exterminate his kind. — *Mark Twain*

Street Spirit

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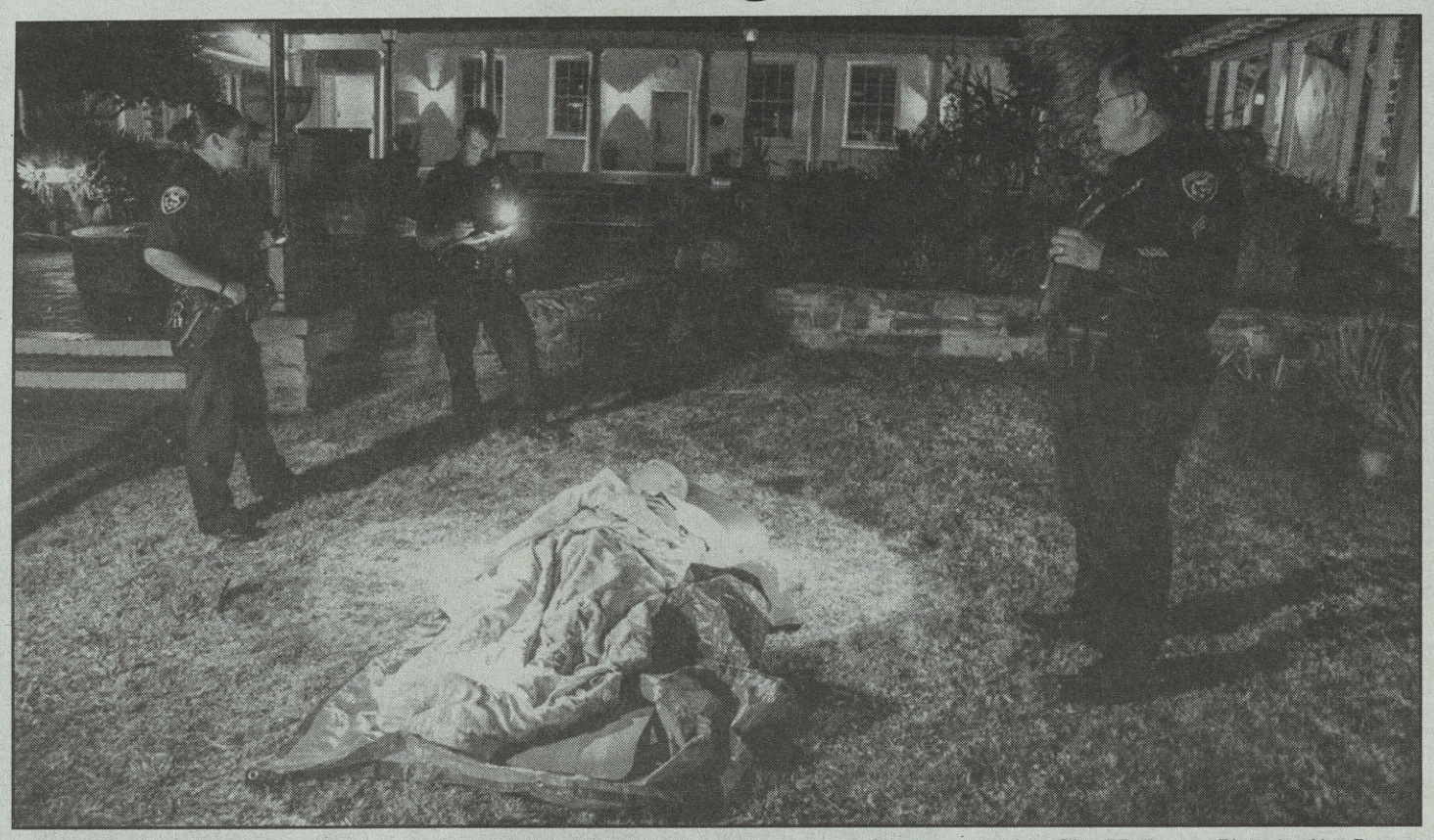
On Homelessness and Human Rights in Santa Cruz

Santa Cruz has enacted bans on sleeping in parks and in vehicles, bans on blankets, and bans on sitting-camping-breathing-eating-sleeping-dreaming-and-existing.



Santa Cruz police have been constantly arresting and harassing the Freedom Sleepers outside City Hall. Photo by Alex Darocy

Mayor Lane has maligned the very activists who have done the most to keep concern for human rights alive for all these years in Santa Cruz. Have they been noisy and "boisterous" in advocating that poor people not be criminalized? Thank God they have.

Commentary by Terry Messman

Santa Cruz Mayor Don Lane released an open letter last month that took a thoughtful look at the suffering of homeless people in his city, and called for compassionate measures such as emergency warming centers, expanded shelters, legal parking for homeless vehicle dwellers, and an end to the ban on sleeping. [Mayor Lane's letter was published in the November 2015 issue of *Street Spirit*.]

Lane's statement is a significant exploration of the issues surrounding homelessness — especially in light of the vote on November 17 to criminalize homeless people by Berkeley Mayor Tom Bates and the majority of the City Council. The refusal of Berkeley officials to listen to the hundreds of people who spoke out with intelligence and compassion in defense of the human rights of the poorest citizens was a travesty. In this climate, the open letter from the mayor of Santa Cruz takes on even greater importance.

Mayor Lane described the enormous suffering of the homeless community, and acknowledged his city's failure to provide adequate shelter for the people trapped in poverty on the streets. Even more surprisingly, he questioned Santa Cruz's mistaken policies of criminalizing homeless people and its sleeping ban.

What makes Lane's statement so meaningful is that it flies in the face of Santa Cruz's appalling police attacks on its homeless residents. For the past 30 years, Santa Cruz, to its absolute disgrace, has compiled one of the worst track records of anti-homeless legislation in the nation.

The city's inhumane policy of police repression has been carried out by self-avowed liberal-to-progressive municipal officials who have enacted a seemingly endless series of cruel laws to banish homeless people from public spaces in what can only be called a deliberate campaign of de facto segregation — segregation based on economic class, race and disability.

As a result, many Santa Cruz advocates and homeless people are understandably suspicious of Mayor Lane's sincerity and good will, given the city government's unbroken record of persecuting and outlawing nearly every facet of the existence of homeless people.

But there is another way to look at Lane's statement. One way that social-change movements work, is by gradually educating and awakening public officials to the injustice of oppressive laws.

In Santa Cruz, dedicated activists have carried out a long-lasting and hard-fought struggle to expose human rights abuses and discriminatory laws aimed at homeless people. When the first glimmers of light finally begin to break out, it is important for the activists involved to keep an open mind about the potential for change.

Still, it is not only understandable, but essential, for activists in Santa Cruz to remain wary of the true intentions of any mayor or public official who professes to be reconsidering his city's long-time persecution of homeless people. It is important for them to remain vigilant when they have witnessed the rights of homeless people constantly violated in their city.

But Lane's letter is the kind of public support for the rights of homeless people that we must hope will emerge across the nation in hundreds of U.S. cities with similarly repressive anti-homeless ordinances. His public challenge to anti-homeless laws and his call for greater compassion is a challenge to the consciences of municipal officials throughout the state.

Mayor Lane's reflections have not arisen in a vacuum. Recently, the U.S. Department of Justice declared in a court case in Boise, Idaho, that laws that criminalize homeless people in cities with inadequate shelter amount to "cruel and unusual punishment." And the U.S. Department of Housing and Urban Development warned city officials across the nation that they are at risk of losing hundreds of millions of dollars in federal homelessness funds if they continue to criminalize homelessness.

These developments played a significant role in spurring Lane's reflections. The mayor admits as much in his letter:

"The federal government has, in a variety of ways, signaled that it will not provide federal homelessness funding to localities that enforce laws against sleeping outside when those who are sleeping outside have no legal alternative. The feds have also started to intervene in court cases that question local laws that prohibit sleeping in public places for people who have no place else to sleep."

It is a positive sign that Lane is calling for greater public compassion and is re-examining and even repudiating some of the mentality that leads to the criminalization of people living on the streets.

It is worthwhile to look more closely at the most illuminating points in Mayor Lane's public letter — and then at the terribly flawed shortcoming of his statement.

The best part of Lane's letter is simply its candor in taking a hard look at the alarming lack of shelter and services for homeless people in his city. He reports that even though County officials have increased funding for homeless services, the City of Santa Cruz has significantly reduced its funding, jeopardizing winter shelter programs and resulting in the loss of meals, restrooms and showers for hundreds of homeless people.

Activists have tried for years to make the City Council acknowledge the complete failure of Santa Cruz to house or even shelter more than a fraction of its homeless population. It is important that the mayor stated this explicitly, in black and white, to the public.

Lane writes, "Despite a fairly widespread misconception, we've never had a lot of emergency shelter for adults in the City of Santa Cruz. And now we have even less. No matter how you slice it, during most of the year, there are literally hundreds of adults without an indoor space to sleep at night."

This adds up to a very serious indictment. For Mayor Lane admits that Santa Cruz is committing precisely the same injustice that the Department of Justice condemned in Boise, Idaho, by criminalizing people for sleeping outdoors in a city with too few shelter beds.

Lane states: "It has become extraordinarily difficult for any homeless adult to find any emergency shelter."

The mayor also asks penetrating questions about the hardships faced by homeless people. Usually, if city officials address homeless issues at all, they discuss them in a way devoid of all human feeling, as if they were talking about bloodless statistics or abstract economic indicators, rather than human beings.

It is rare for any mayor to confront the desperation, anguish and suffering of people who have lost their housing. Lane asks the following questions in an attempt to open the eyes of city officials to the reality that leaving people to languish in misery is not a decent response to the desperate levels of human need on the streets.

"Where is a person who attended Santa Cruz High 15 years ago and who is now broke and troubled and living on the streets supposed to sleep tonight?

"Where will we suggest that each of the several hundred unsheltered individuals in the Santa Cruz area spend the night when it starts raining hard?

"What public purpose is served when an unsheltered, impoverished person gets a citation for sleeping outside? Is that kind of citation having any positive impact on the homelessness problem we have?"

Lane makes another important point. City officials across the nation have passed the blame for the homeless crisis onto the federal government and its failure to adequately fund affordable housing.

Lane rejects that easy transfer of blame as a cop-out, asking how homeless people are supposed to survive while waiting for some other level of government to deal with homelessness, and asking why homeless people should pay the price for the failure of government officials.

Throughout California, excessive and unconscionable rental increases have caused a critical shortage of affordable housing and a massive number of evictions for profit. Extortionate rents are a major cause of homelessness.

In Berkeley, the mayor and the majority of City Councilmembers are in the pocket of the real estate interests and corporate developers that are driving up rents to unprecedented levels. That is not only my analysis. That is also what Berkeley Councilmember Max Anderson said in accusing the council majority of pushing through anti-homeless laws because they are in the pocket of big-money interests.

Mayor Lane describes the direct role played by sky-high rents in causing greater homelessness. He writes, "It's also important to note here what is probably the worst news of all: rental housing costs are skyrocketing. It's widely agreed that our area is experiencing a housing affordability crisis that is likely worse than any past housing crisis we've seen. People, mainly people with jobs, are being priced out of their rental housing situations every day."

Mayor Lane, to his credit, also called on Santa Cruz to stop criminalizing sleep, proposing that city officials "amend the current camping ordinance to remove references to 'sleep' and 'sleeping' and 'covering up with blankets.'" That is a step forward, if only it is followed up by the Santa Cruz City Council.

In addition, Lane called on the City to allocate more funding for shelter, and to become a partner with Santa Cruz County in running an emergency warming center to provide life-saving shelter in the winter. He also suggested that the City work with a partner organization to set up a pilot project for homeless residents to legally sleep in their vehicles, and explore the possibility of allowing an agency to create a small pilot camping area for people unable to find any housing.

It is truly unfortunate that, after saying so many of the right things about homelessness, Mayor Lane then launches an unwarranted attack on the very activists who have championed the rights of homeless people in Santa Cruz, in season and out. It is a bitter irony that the mayor maligns the same

See **Homelessness and Human Rights** *page 5*

Santa Cruz Activist Responds to Mayor Lane's Letter

As mayor, he could ask the city manager and police chief to stop all citations of those sleeping, covering up with blankets, or camping outside.

Commentary by Robert Norse

Homeless United for Friendship and Freedom (HUFF) discussed the recent Facebook posting by Santa Cruz Mayor Don Lane, and our member's response.

Becky moved and HUFF voted to contact each of the Santa Cruz City Councilmembers to determine their position on Lane's proposed removal of sections MC 9.36.010a and b from the Camping Ordinance. This should clarify the real division on the City Council and expose the real tensions and real violence — as Martin Luther King might have said.

I'm not one to reject partial steps towards restoring basic civil rights to those outside. However the following needs to be said: It appears this is being done in response to potential threats of litigation and funding cutoff from HUD for cities that continue to criminalize homelessness (as was the case with Vancouver, WA, and various southern California cities recently).

The point here is that merely eliminating "sleeping" and "blankets" provides no immunity from 6.36.010c citations ("camping with the intent to remain overnight"). Nor from other citations that serve the same purpose. Nor from the weather and danger of sleeping outside. It does however provide possible legal protection from litigation and a claim that Santa Cruz is "doing something" and shouldn't have its funding cut off.

What could Mayor Lane do that would involve action rather than rhetoric?

As Mayor, he could ask the City Manager and Police Chief to stop all citations of those sleeping, covering up with blankets, or camping outside either for those offenses or for "being in a park after closing" (something now frequently used which suspiciously looks like a dodge against potential litigation and liability for 8th Amendment violations). The Council majority could counter him with different instructions — but that would be most embarrassing for them.

As Mayor, he could publicly state he believes the public has the right to be at City Hall after dark in peaceful protest, and ask for removal of the klieg lights, no parking jackets over the meters, and First Alarm thugs that appear every Tuesday night when the Freedom Sleepers hold their protests.

As Mayor, he could request the City Attorney to grant amnesty for all MC 6.36. and MC 13.04.011 citations for the last two years and request the courts do the same.

As a member of the City Council, Mayor Lane has voted for a series of anti-homeless laws over the last decade, including expanding the forbidden zones downtown where people can sit, perform, peacefully sparechange, or table; making three unattended infractions the basis for a misdemeanor prosecution; making every subsequent infraction citation after three unpaid ones an actual misdemeanor; criminalizing peacefully standing on a median with a sign; making taking issue with a park employee a misdemeanor; and the cop-empowering Stay-Away order laws.

As Homeless Services Supporter, Lane could apologize for voting for the requirement that the Homeless (Lack of) Services Center be transformed into a de facto prison (with gate, guards, ID) with the funding that should go to expanded services, and actually bring up restoration of general homeless services (such as bathroom and regular shower access, meals, and laundry use); require the HSC to dump the bogus grant-seeking "path to housing" requirements of the Paul Lee Loft and return to its original mission (which was actually to get the homeless away from the downtown, but at least made a pretense of providing food, access to waiting lists though not really shelter, and other rather basic services).

Introduce a measure to provide dumpsters, portapotties, and regular trash pickups for all existing homeless encampments — where homeless people actually live these days. Or do so through a private charity drive as was done in Fresno.

Make it clear that the "Magnet" Theory, the "Homeless as Public Safety Threats," the "Needlemania" mythsteria, and the other dangerous but effective pretexts used over the last few years to pass many of these laws and fund abusive police/ranger behavior have no basis in fact. Lane does not mention these "elephants in the room" at all and perhaps for understandable reasons — namely, that he went along with this mythology and may not have the fortitude to challenge it. Or perhaps he's afraid it will offend the right-wing Council majority and its Take Back Santa Cruz homeless-bashers to blow away their bugaboos.

Lane voted for the crap that came out of them (the Citizens Public Safety Task Force for instance). He needs to specifically repudiate those votes and support their repeal.

Declare that during the first rains, if there is no real shelter ("warming center" or "sanctuary place" or "campground" or "tent city," whatever you want to call it) available, he will join with activists in simply going into a vacant building and using it for that purpose — whether we're talking Civic Auditorium, City Hall Council chambers, Stadium, etc. to protect the lives and safety of those he cares so much about.

Lane's letter states that "enforcement hasn't worked," yet there is no mention of human rights, civil rights or criminalization.

The issue is not whether Lane's proposals are better than the Council majority's bullshit, but whether they are adequate for homeless survival this winter. And for HUFF, whether they have anything to do with the "mandatory minimums" that will really set us on the right path.

For me, we wouldn't be very far along that path which involves real housing, rewarding work, revolutionary shift from war to healing, profound redistribution if power and income, and other rather profound changes. Lane has his Lengthy Redemption Lament. We have our job to do — which has to do with reality not rhetoric. Let's get on with it.

On Homelessness and Human Rights

from page 4

homeless advocates who have advocated literally every single one of the proposals he makes in his letter.

Lane refers to the unwanted presence of the city's homeless activists as the "elephant in the room."

"In Santa Cruz, I believe the biggest 'elephant' is the behavior of a handful of high-profile homelessness activists. (Note: these are homelessness activists — the most notable among them are not themselves homeless.) Years of boisterous and offensive behavior have caused me to avoid dealing with some aspects of local homelessness issues. I imagine this is also the experience of some other local elected officials. Anyway, I am not proud of my choice to avoid some of these issues. I have allowed what I see as the poisonous behavior of a very small number of people to keep me from taking on some truly important issues."

I read that passage with dismay. I have attended many protests in Santa Cruz over the years, and instead of "poisonous behavior," I have seen nonviolence in action, spirited protests that asked the right questions, and challenged terribly unjust laws.

At times, I have also seen activists hurl angry accusations at public officials — yet these officials were entirely guilty of persecuting the poor and other acts of inhumanity. Some demonstrators have occasionally crossed the line into hostility and name-calling. Perhaps that would not happen in a perfect world, but I cannot think of any movement yet that has maintained perfect discipline at all times.

Mayor Lane chose to malign the very activists who have done the most to keep concern for human rights alive for all these years. Have they been noisy and "boisterous" in advocating that poor people not be criminalized? Thank God they have.

Have they stung city officials with outspoken protests and, at times, intemperate accusations? Cry me a river. They have only done so in order to stick up for poor people who would otherwise be defenseless and voiceless in Santa Cruz. What is at stake are human lives — and not the delicate feelings of the City Council.

Another irony is at work. Almost all of Lane's proposals for safe sleeping places, legalized areas for vehicle dwellers, and a moratorium on the sleeping ban, did not originate with him, but with the homeless advocates he recklessly defames.

Santa Cruz homeless advocates have written thoughtful articles in *Street Spirit* that proposed every one of the ideas embraced by the mayor in his letter. The Freedom Sleepers have gone far beyond Mayor Lane's suggestion for an end to the sleeping ban by repeatedly putting their bodies on the line in weekly nonviolent sleep-outs at City Hall.

It is strange that a mayor would advance these identical proposals, saying he is now ready to "engage in frank conversations on these issues" even with people that "have disagreements on any particular policy" — and then publicly disparage the activists.

Santa Cruz activist Steve Pleich said, "It is ironic that the Mayor has chosen to advocate for these programs after months of foot dragging while simultaneously taking a swipe at the very activists who have been advocating for the programs he now seems to be embracing."

City officials may dislike the activists for disrupting business as usual, but these protests only occured because the City Council has presided over police raids and repression for three decades.

Instead of creating housing and other humane solutions, they have enacted an endless series of sleeping bans and vehicle bans and blanket bans and park bans and bans on sitting-camping-breathing-eating-sleeping-dreaming-and-existing.

Mayor Lane honestly admits, "I am as responsible as anyone in this community for our failure to address our lack of shelter and our over-reliance on law enforcement and the criminal justice system to manage homelessness."

One must add that, as mayor of Santa Cruz, Lane is *more* responsible than anyone else for the city's failure to provide shelter and for the cruel laws that result in constant police harassment and raids.

Even while admitting his own complicity in these misguided homeless policies, Lane goes out of his way to defame the activists who have been right all along.

It is reminiscent of the city officials in Alabama and Mississippi in the 1960s who attacked civil rights workers as "outside agitators" bent on disrupting the peace of their segregated cities.

The civil rights workers that this nation now honors were not honored in their time, but were vilified for upsetting the established order. Then, as now, activists who defended an unpopular minority incurred the wrath of public officials and the police.

They were disparaged just as Mayor Lane disparages his own city's civil rights activists. Santa Cruz officials resent protesters because they use tactics that make them uncomfortable. At times, they have been rude and confrontational.

All of the civil rights activists in our nation's history have made city officials uncomfortable. No mayor ever wants the established order to be upset. Yet that is what activists must do. They must expose unjust laws and create an uproar so that city officials are forced to listen. They must create a moral crisis to force an unwilling government to deal with the issues.

Given the amount of human suffering on the streets and the police repression ordered by city officials, it is remarkable that there have been virtually no instances of violence in a 30-year history of homeless protests in Santa Cruz.

Instead, there have been dedicated people working to create a moral crisis around homelessness, exactly as Martin Luther King described it in a public letter of his own, "Letter From a Birmingham Jail." King's words from his jail cell explain why homeless activists in Santa Cruz must go on agitating for change and disturbing the peace of public officials:

"Nonviolent direct action seeks to create such a crisis and foster such a tension that a community which has constantly refused to negotiate is forced to confront the issue. It seeks so to dramatize the issue that it can no longer be ignored."

Later in his letter, King added, *"The purpose of our direct action program is to create a situation so crisis packed that it will inevitably open the door to negotiation."*

That is what activists in Santa Cruz are attempting to accomplish, and Mayor Lane and the City Council must understand this and bear it in mind.

The mayor also needs to take into account the other side of this conflict: the many times when city officials and the police have muzzled or banished protesters, and the extremely offensive and rude and censorious ways they have conducted themselves in silencing dissenting voices.

Have the activists sometimes expressed their anger about injustice in bitter outbursts? Without question.

But the vast majority of homeless protests in Santa Cruz have been conducted in a nonviolent way, even while the activists have faced police mistreatment, jail terms and the scorn and public defamation of city officials.

What is at stake in these protests are the very lives and human rights of people living on the streets of a city that has criminalized their existence, a city that has utterly failed to provide enough shelter, as testified by the mayor himself.

Considering the life-and-death urgency of the issues at stake, if protesters sometimes have vented their frustration at the officials who have refused to listen to repeated appeals for humane treatment of people living on the street, so be it.

Nonviolent resistance has been defined as "relentless perseverance." Relentless perseverance is the hallmark of the Santa Cruz activists. Though they are routinely maligned by city officials, they have carried out principled actions in defense of the rights of homeless people with a long-lasting dedication that is an inspiration to anyone who cares about human rights.

A Futile and Brutal Act

from page 1

Measures N and O in 1994.

Anderson said, "Berkeley continues trying to outlaw homeless people in the face of overwhelming statements from the federal government and from nearly every university school of health and law school that says that criminalizing the poor is a futile and brutal act."

He responded directly to a few Berkeley residents who earlier in the evening had tried to stir up fear against homeless people in the city. "The poor have a hell of a lot more to fear from the affluent than the other way around," Anderson said. "We have heard and seen what has happened when the rights of people are systematically ignored."

Anderson then reminded Mayor Bates and the City Council that they had heard testimony from public health nurses about the "terrible health problems suffered by people on the streets" — people who are on medications for congestive heart failure, people who have kidney failure, or diabetes, or a host of other diseases.

Anderson said that Berkeley officials have tried to criminalize basic things that all human beings must do, including sitting and lying, sleeping and urinating.

"Now we're criminalizing people sitting in a two-by-two-foot space that they are condemned to have all of their possessions in," Anderson said. "This is so draconian and so backward and so reactionary that you'd think this is coming out of Alabama or Mississippi."

A BOOT ON THE NECKS OF THE POOR

Over the years, I have heard many, many voices speaking out in defense of homeless people, but Anderson touched on something very profound in describing the human damage caused by the new anti-homeless law. He somehow captured the deeper dimension of the appalling injustice being done to the poorest of the poor by Mayor Bates and the City Council.

Perhaps it was his shattering image of a boot on the necks of the poor.

"To continue to pile on and put a boot on the neck of people when they need a helping hand is so beyond the pale of what we stand for in this city," Anderson said.

"And to have this thing be driven by wealthy, big-money interests that apparently hold sway over six members of this council at any given time without regard to any kind of moral or ethical standards — even ignoring HUD guidelines! We don't mind losing money for affordable housing in this city. We don't want to build housing that is affordable for poor people. We throw our money on high-rise monstrosities that house only the richest among us."

In light of Anderson's reminder to his colleagues about the life-threatening health problems suffered by people on the streets, it almost defies belief that they ignored the testimony of nurses and service providers about the especially harmful impact their new laws would have on people with serious medical conditions.

Olivia de Bree, a nurse practitioner in Berkeley, described the health problems of homeless people she has worked with, and told the council, "This legislation is very inhumane."

She told the City Council that there are higher rates of premature mortality among homeless people in Berkeley. National studies have repeatedly shown that people living on the streets have far shorter life spans than the general populace and often die prematurely due to serious illnesses and disease, and exposure to the elements and to violence.

Homeless people have set up tents at City Hall and have begun creating a community governed by consensus. Lydia Gans photo

De Bree testified that homeless people have higher rates of strokes, emphysema, hepatitis and liver cancer. People from the ages of 45 to 64 who are homeless have 4.5 times higher rates of age-adjusted mortality.

Cancer and heart disease are two of the most common reasons why they are dying, she said, and that led her to a scathing denunciation of the council's anti-homeless law that would require people to move their carts every hour and to have only two square feet for their belongings.

"When people have heart disease, you're going to ask them to move their shopping carts every hour," de Bree said. "Who are you kidding? You are cruel! You are asking them to keep their possessions in a two-by-two-feet area and carry the rest? Are you insane?"

The nurse reminded the council that people with serious illnesses who live on the street have far worse outcomes because of the bad living conditions they face. "We're not talking about people who have controlled but people with uncontrolled diabetes, with amputations, ulcerations, and neuropathy," de Bree said.

"These are not people you should be kicking when they are down and that is exactly what you are doing, and it's incredibly inhumane. When you see a homeless person on the sidewalk and imagine that they are 20 to 30 years older because they are very sick, that is who you are hurting."

She also warned that these anti-homeless measures could jeopardize HUD funding for affordable housing, and questioned why the City Council would knowingly take steps to lose funding for affordable housing. The loss of housing is a public health crisis, and she warned that it also "deters Black people from living and working in this city."

De Bree pointed to a recent survey that shows that 49 percent of homeless people in Berkeley are African Americans. "African Americans are disproportionately represented among the homeless," she said. "In South Berkeley, we see institutional racism." The new anti-homeless laws would disproportionately affect African-Americans who are homeless and "will only make their lives harder."

Daniel McMullan also spoke out against the discriminatory aspects of the anti-homeless measure. McMullan, a City Commissioner on Berkeley's Human Welfare Commission, reminded City Councilmember Linda Maio, one of the key authors of the measure, that the council's vote for anti-homeless laws on Dec. 1, 2015, came on the 60th anniversary of the day that Rosa Parks refused to give up her seat on the bus in Montgomery, Alabama, and helped to spark the civil rights movement.

Four women who played inspiring roles in organizing a vigil and sleep-out at City Hall. From left, Moni Law, Genevieve Wilson, Elisa Cooper and Sally Hindman.

> **"This is so draconian and so backward and so reactionary that you'd think this is coming out of Alabama or Mississippi."** — Max Anderson, Berkeley City Council

McMullan said that the Berkeley City Council has been reversing the spirit of the civil rights movement with its "lazy, racist, anti-human" laws that stem from a "beat-up-on-the-victim ideology."

At the council hearing, McMullan charged that the proponents of the anti-homeless laws were depicting "homeless people as filthy animals," and denounced the City Council for enacting the laws at "the whims of business and development outsiders" and "at the expense of the people that live here."

McMullan reminded the council that Berkeley voters had voted down a similar anti-homeless initiative, Measure S, in the 2012 election. "The voters said by voting down Measure S that we don't want these kinds of anti-homeless laws in Berkeley," he said. By passing these laws despite the will of the voters, McMullan said, the City Council is sending a "big love letter to developers telling them they will spit in the face of the voters for you, no matter what the people say, so please put money in my political campaign."

George Lippman, chair of Berkeley's Peace and Justice Commission, told the council, "From a social justice standpoint, these laws perpetuate this country's history of racism."

Lippman said that in 2015, society seemingly learned a great deal about the prevalence of racism and the different impact of law enforcement on black people.

"But tonight," Lippman said, "I wonder if we have learned anything at all. The impact of these laws is to further the mass incarceration of African Americans and to destroy black lives and black communities. This is the hidden reality of the anti-homeless ordinances. And it gives the lie to the liberal Berkeley rhetoric that we all agree that black lives matter. These laws say that black lives, in fact, do not matter. Anti-homeless ordinances are part of the ethnic cleansing of American cities as much as racial cleansing."

See **A Futile and Brutal Act** *page 7*

A Futile and Brutal Act

from page 6

Moni Law and Sally Hindman helped organize a sleep-out that began on the steps of old City Hall on Monday, November 16. The two women and a few others slept on the steps all night before the council meeting, and their act of solidarity triggered the large-scale occupation that flourished into a community of people in tents and sleeping bags that soon covered the City Hall grounds.

Moni Law told the City Council, "It was freezing last night," adding that she was awakened repeatedly by the cold weather and by car alarms and street noises, and found what it was like to have no access to a bathroom all night long.

In the morning, she wrote this reflection about the sleep-out: "On this cold night, after sleeping out in solidarity with my homeless neighbors, I said, 'Lord give comfort and relief to the men, women and children who suffer daily from food and housing insecurity — homeless people."

Law told the councilmembers that Jesus and Buddha would tell them to have compassion for homeless people. She added, "Shame on us. Shame on us for jailing people and fining people. If they're homeless, give them the help they need instead of a jail cell or a fine."

Many seniors can barely remain in their housing due to rising rents, Law said. Law works to help people find housing, and in moving terms, she described the desperate urgency of the people she helps. "There are children and seniors in the food lines in Berkeley," she said. "There is a 74-year-old senior sleeping out on the sidewalk every night. She told me it was so cold and wet and she had nowhere to go. Why does she have to sleep out on the street? Instead of facing this kind of law, what about a compassionate policy for the people?

"Jesus said feed the hungry and house the homeless, and call out to them with unconditional love. All our faith traditions, Jewish, Buddhist and Muslim, all call for compassion. Mahatma Gandhi agitated for the untouchables."

Sally Hindman helped to organize the sleep-out and described the 36-hour vigil and fast as "deeply spirited but very cold and noisy."

"I got really sick afterwards," Hindman said. "It's simply miserable being homeless. As an asthma sufferer I particularly can't imagine how people survive out there day in and day out in the cold with compromised lung capacity."

Despite these hardships, Hindman felt it was essential to find some way to act in solidarity with people on the streets. "I had no choice but to take the strongest possible faithful actions to stand in solidarity with my homeless brothers and sisters fighting for justice," she said. "The situation for those on the streets has become increasingly desperate. There are two-year wait lists to get into affordable housing.

"The Berkeley police and Downtown Ambassadors are already harassing folks on the street with tickets and efforts to make life on the street even more miserable than it already is. And now there's a fight to make it illegal for homeless people to carry their belongings with them, when we will never have proper storage space to protect their things. I just can't keep functioning like it's business as usual."

Marium Navid, a Vice President of The Associated Students of the University of California (ASUC) told the City Council, "I am here on behalf of the thousands of students who elected me to this position." The UC Senate passed a resolution that unanimously condemned the City Council's anti-homeless measures and "the way these laws are set up to treat homeless people in this community."

Navid added, "I am frankly disappointed that the elected officials of the city that I live in could even propose something this horrendous. This is not how you solve the problem. This is how you reintroduce institutional racism. This is how you make sure that you violate human rights."

The entire anti-homeless campaign was orchestrated by the Downtown Berkeley Association and the Berkeley Chamber of Commerce. Despite all the impassioned testimony of countless Berkeley residents who spoke out against the inhumanity of the new laws, the only people the City Council majority would listen to were John Caner of the Downtown Berkeley Association and Kirsten McDonald of the Chamber of Commerce.

The ordinance was passed by a bloc of votes on the City Council consisting of Mayor Tom Bates and Councilmembers Linda Maio, Laurie Capitelli, Lori Droste, Daryl Moore and Susan Wengraf.

Just before they cast their votes to persecute and criminalize homeless people, a woman walked up to the microphone and denounced their actions. She then called for a moment of silence "for all of the homeless and disabled senior citizens who will die on the streets from exposure to the cold because they cannot find housing."

Mayor Bates ignored her request, and loudly broke into the moment of silence again and again. Every time she asked for just a moment of silence to honor the suffering of homeless people, Bates broke into the silence and loudly ordered her to sit down, even though she was one of the very last speakers and might have been afforded a moment of silence.

She refused to sit down and called again for a moment of silence, but Bates continued to break into the moment of silence. He badgered her and ordered her to sit down. He could easily have granted this simple request. Instead, he showed a complete lack of respect for the suffering of homeless people in his city.

One last time she tried. Once again Bates barked at her to sit down. She said, "A moment of silence for those who will die in the cold."

The mayor rudely told her to sit down.

"Shame on you," the woman said. "I said a moment of silence to show respect and honor, but you clearly have none."

This is how bad it has become in Berkeley under the administration of Mayor Bates. The mayor is on his way out, and one of his last public acts in the season leading into Christmas was to override a simple request for a moment of silence to honor the poorest of the poor.

His legacy is this new set of laws that persecutes people in need.

"First They Came for the Homeless." **An eye-catching banner hangs in front of the occupation on Martin Luther King Street in front of Berkeley City Hall. The occupation began when the council passed anti-homeless measures.** Lydia Gans photo

Two Square Feet and a Whole Lot of Shaking Going On

by Carol Denney

The only guy, just one, who spoke in favor of the new two-square-feet law at the Berkeley City Council on December 1, gave an unexpected compliment to the ongoing protest withstanding the freezing weather in front of old City Hall in Berkeley on Martin Luther King Jr. Way for having strict behavioral standards.

"This town needs to have standards," insisted Eric Panzer of Livable Berkeley, a booster group for all things developer-friendly. His compliment to the protest group which began its demonstration with a sleep-in on November 16 and included local activists, city workers, and clergy, did not go unnoticed by the wide-eyed council or by attorney Osha Neumann, who was next in line to speak and invited him to endorse the newly named Liberty City protest more formally.

Many of the Berkeley community have done just that. Around 75 people gathered in front of the old City Hall building to share stories, music, food, and march together for just over a mile to the Longfellow Middle School being used for the Berkeley City Council meeting, a larger hall than the tight 123-seat capacity of the usual council chambers.

Liberty City has a large "No Drugs or Alcohol" sign prominently displayed by their circle of colorful tents and has now received its third warning from the Berkeley Police Department recommending that it take advantage of local shelters, etc. Their supporters spoke for hours at the City Council meeting on December 1, trying to stop the second reading of what most already knew could perhaps be delayed, but certainly had the votes it needed to become another layer of Berkeley's anti-homeless laws.

The best quote of the night heard over an auditorium reverberating with chants and stomping was Vice Mayor and Council Chair Linda Maio's plaintive defense that the two square foot law would not be used until storage was made available, and that "they are really big bins."

Really big bins. The photographs of rows of ugly plastic garbage bins used in San Diego and elsewhere — in lieu of honestly providing low-income housing — never has quite the desired effect on people who wish to convince themselves that criminalizing having more than two square feet of possessions (shopping carts and blankets excepted, or so Maio claims), among other idiocies, is somehow okay.

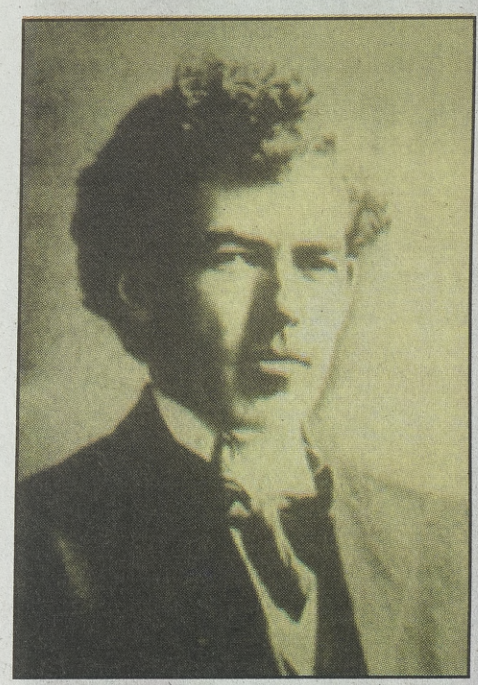
Berkeley Mayor Tom Bates, recovering from a fracture at home, was present over a phone system and sounded like he was gargling.

The City Councilmembers who opposed the measures tried valiantly to craft substitute motions. Councilmember Jesse Arreguin tried to add a directive making currently locked bathrooms open all night and expanding the possessions footprint to four square feet, while Councilmember Kriss Worthington kept getting shut down by Maio who seemed terrified of letting him speak at all. The vote apparently took place while the room rocked, at least three members of the City Council were locked in various arguments, and the clock ran out.

That's how democracy happens in Berkeley. The last time anti-homeless laws passed in Berkeley with this same cast of characters, the ordinance was overturned by a people's referendum and then put before voters who turned it down.

So who does the City Council majority represent? At least one guy, the Downtown Berkeley Association's CEO John Caner who wrote the initial law (with Maio and Arreguin) in a back room, felt represented in all the madness. And he didn't have to say a word.

As Rents Skyrocket, Berkeley's Favorite Scapegoat Comes Back Into Play: *The Homeless Are to Blame*



Socialist Mayor J. Stitt Wilson, Berkeley.

The residents of the homeless occupation at old City Hall in Berkeley have named their protest, "Liberty City."

by Daniel McMullan

"A Laundryman is more valuable to the community then a Real Estate Man." — J. Stitt Wilson. Socialist Mayor of Berkeley, 1911-1913

When you say it out loud it sounds preposterous: "It's the poor and homeless who are to blame. They are the ones that have all this power over the quality of your life."

They are called the rich and powerful for a reason. They are powerful, and like it or not, they are the true architects of your community.

But there is only profit in that, when good things are pointed out. When bad things happen, people ask questions. With rents skyrocketing, some people are angry and fearful. Some are starting to look at decades-long maneuvering that has married local politics inextricably with real estate and developer interests.

With rent increases in Berkeley (depending on who you want to believe) of 12 percent to 31 percent, it has been hard for working families to stay in a city where they have lived for decades — some of us for generations.

Do your elected officials demand we take a look at this? Do they try to figure out where rent control is failing? Require more affordable housing from developers?

Well, according to Linda Maio, a member of the Berkeley City Council eyeing the mayor's seat, it is the homeless who are to blame. This ever-powerful minority is the source of all our woes. Time and money is never ill-spent when we are enacting more regulations criminalizing them.

Maio's anti-homeless measure is the same proposal that was backed away from a few months back after an uproar from the public. Such an uproar over homeless people might even help to distract the public.

After all, members of the City Council must do something to drown out an ever growing growl that is coming from a populace that is having its life blood squeezed out by greedy landlords and developers and the needy politicians in their pockets.

For as quiet as it's being kept, while your public servants mouth "Affordable Housing" platitudes; in another room, they spout the high rents that can be commanded in Berkeley as proof of the great job they are doing for their masters. It is election time and it is time to deliver and to show the bosses that they are willing to do their bidding, even in the very face of the people that elected them.

Seen No More

(For the homeless on Gillman Street)

by Joan Clair

How to become you
in the dust?
Seen no more,
they've cleared you up.
Seen no more,
they've cleaned you up.
And where you were
is a space.
And where you are —
no trace!

For in a busy, distracted world, it is money that wins the day — unless. Unless the people, You and I, fight the money with our time. Doing the footwork it takes to talk to our neighbors and share with them what is really going on. Overcoming their money with our energy.

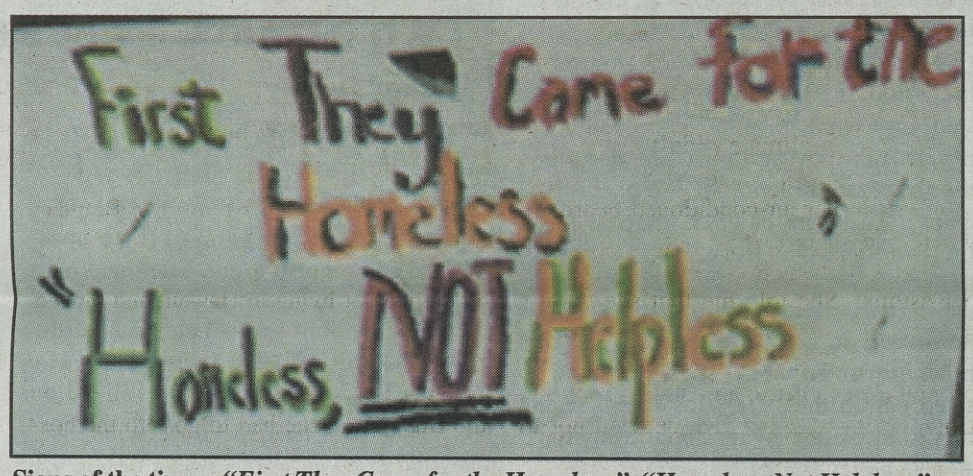
These same people — the landlords and developers and politicians in their pay — tried to put forward Measure S, an anti-homeless ballot measure, in 2012. I was astounded by the number of slick mailers that filled my mailbox with lies and half truths and the tons of money they commanded.

Being a homeless advocate, I knew the real story, but what chance does a person concentrating on other things have? They trust these people to speak the truth, but when it comes to the only subgroup in society where such hate speech and oppression is tolerated — the homeless and poor and disabled — the powers that be rarely tell the truth.

Every single one of these mailings inspired me to get out of the house, mailer in hand, to talk to my neighbors about who and what was really behind this, and what game they were really playing.

And now here we are, just three years later, after Berkeley voters rejected anti-homeless criminalization, and it is already time to trot out this grim anti-homeless strategy again, this one-trick pony. Whether or not it passes, it saps the energy we could be putting towards true progress.

They want us busy. They know we held a meeting on November 22 to discuss what is happening to housing in Berkeley, a meeting titled: "Berkeley's Housing Crisis: What Can We Do About It." Another, a Town Hall on the same subject, was called by Assemblyman Tony Thurman on November 12.



Signs of the times: *"First They Came for the Homeless." "Homeless, Not Helpless."*

On the steps of old City Hall, protesters lined up candles to light the all-night vigil and a sign that said: "Build Affordable Housing." Carol Denney photo

These are meetings that were called by some of the smarter heads in Berkeley, the kind of folks that make sense. And that does not bode well for politicians seen as Pro-WageSlavery, politicians who are slacking off on affordable and low-cost housing. But when someone is caught out and they are not very honest or not very bright, whatever the case may be, they sometimes do the knee-jerk thing and double down. Throwing good money after bad on anti-homeless measures. Only here, it is all bad. Bad, bad, bad. The voters have spoken on this issue.

We know it is obvious that these issues are related. High rents create homelessness. Wasting time and money drawing up statutes to make illegal what is already illegal is taking away resources and attention from the real issues — issues we care about deeply and will be heard.

They will not split us off. They will bring us together. And together we will find solutions and elect those that will put

See **Berkeley's Favorite Scapegoat** *page 9*

The Lifelong Journey of Berkeley Artist Eve Pageant

by Lili Dubois

I first met Eve Pageant at a restaurant at which I worked in Berkeley. She would bring her current artwork and work on it for several hours at a time. It ranged from fabulous human figure sculptures to sculptural reliefs to oil paintings to ink, charcoal and colored pencil drawings. It was the best artwork I'd ever seen, including that of the art professors in my college classes.

We became quick friends, and I found her to be a shy, modest, knowledgeable and generous person. Ultimately, I visited her home studio, and the sheer numbers of her art pieces astounded me. Every wall was covered with her paintings, and shelves were filled with her bronze and wax sculptures.

Eve loved music, and played banjo and guitar, and was learning electric bass towards the end. She often accompanied me to my gigs, where she would make pen and ink sketches of the musicians and patrons. People often mistook us for sisters, and ultimately we became sisters, closer to me than my real sisters.

Eve grew up in Indiana, where her parents were both psychology professors and published authors. One of her sisters became an ear, nose and throat specialist and surgeon. Her other sister was a brilliant biochemistry major before her own early death.

Eve received her Bachelor of Fine Arts degree from Indiana University. She suffered from severe asthma her entire life, and Indiana's climate didn't agree with her. As a child she had to spend entire summers in her air-conditioned bedroom, where she spent many hours developing her art skills, which weren't impacted by her asthma. She told me that she wasn't able to go to camp like the other kids because of her asthma. Her parents offered to send her to a treatment center in Colorado to live, but Eve decided not to leave her family.

Cruisin'. **A sculptural relief by Berkeley artist Eve Pageant, 1949-2015.**

She and her partner moved to Boulder, Colorado, where amazingly she had no trouble breathing. But they were intrigued by the idea of living in Hawaii, and moved there. But as soon as Eve stepped off the plane, she realized it was a mistake.

Over the several months they lived on the Big Island, she had to go into the hospital several times. They moved back to the mainland, to San Francisco, where she'd briefly lived during the "summer of love," as a teenage runaway in 1967.

But around 1978, her partner, who suffered from chronic depression, unexpectedly committed suicide. Eve was understandably traumatized by this, and moved back in with her family, who at that time lived in Palo Alto. Ultimately, she found a home in Berkeley, where she had lived as a high school student while her father was on sabbatical. She was never homeless, as far as I know, but there were times that she was so hard up that she was down to one pair of worn-out canvas shoes, and couldn't afford another pair.

Her art ranged from fabulous human figure sculptures to sculptural reliefs to oil paintings to ink, charcoal and pencil drawings. It was the best artwork I'd ever seen.

Because of her legal disability, she explored the local resources for the disabled. She found that the CLC had an extensive art program with many different types of art supplies, including a kiln. She produced a dozen or more figurative ceramic sculptures of her own design, glazed and fired them. Though they weren't as regal in appearance as her bronze pieces, they are among my personal favorites.

Eve never had a large exhibit in Berkeley, but she's had pieces on display in institutions such as the De Young Museum in San Francisco, and Indiana University.

On the morning of October 30, 2015, Eve was found with her bronchial inhaler mask on her face, sitting slumped over. She had been deceased for about two hours. Her death was determined to be from cardiac arrest, with contributing factors of hypertension and chronic obstructive pulmonary disease (COPD). No services were planned.

Her family hopes to publish a book of Eve's art. Eve was 66. She will be missed by all her friends and family. She was the most gentle, talented and memorable person I've ever known.

Berkeley's Favorite Scapegoat

from page 8

those solutions in place.

The Bay Area is a bad place to play people off as stupid. Recently, the Mayor of Santa Cruz has written a letter pointing out the failures of criminalizing the poor. Nationally, the Justice Department and the Department of Housing and Urban Development have made it clear that criminalizing the poor and homeless is wrong and will not be tolerated or funded.

Berkeley's Linda Maio is out on an increasingly thinner and lonelier branch. One where money from rich, out-of-town speculators might just be too heavy to bear. How many times can you disrespect the voters on behalf of the big-money interests, and get away with it?

This issue came up before the City Council on November 17 and again on December 1. Even with very short notice, there were hundreds who spoke against the anti-homeless ordinance and a mere handful that spoke for it. The important thing for our elected officials in Berkeley to know is that these hundreds are not stuck behind their televisions or dependent upon mailers. We all got out of the house because the issue this time is bigger and more urgent. Our futures depend on us. The futures of our children depend on us. The cold steel of shackles have awakened some people.

Except for the heartening turnout of many, many people who spoke out against Maio's ordinance, the Berkeley City Council meeting on November 17 was pathetic. An aging, cranky, overfed cadre of Progressipublicans were doing the bidding of their Masters, regardless of how many citizens ask for justice and humanity.

Then came the City Council meeting on December 1 and the second and last reading of the repressive anti-homeless laws. I did not think it was a coincidence that the meeting was on December 1, 2015, exactly 60 years to the day that Rosa Parks refused to give up her seat on that Montgomery Bus, thereby starting a sequence of events that brought about the Civil Rights Movement.

And now on the 60th anniversary of Rosa Park's historic action, here we are at odds with a group of people that have steadily and incrementally been rolling back those civil rights in Berkeley for years now.

The council meeting on December 1 was one of the craziest I have seen in a while. And what it lacked in integrity on the side of elected officials, it made up for with the passion of a broad swath of Berkeley residents.

At the old City Hall, a protest camp has sprung up, asking for relief in what is nothing short of a statewide and nationwide housing state of emergency.

At the council meeting on December 1, before they began discussing the anti-homeless laws, they unfortunately brought up an issue about an apartment block of 18 units on Durant Street that was bought by a developer who had no intention of collecting a measly 18 fair-priced rents.

Though he had no demolition permit, he told the residents that demolition was imminent and they had to get out. Then he invited the Berkeley Fire Department to use the property for drills that included breaking down walls and all sorts of damage. Then he complained that HOMELESS SQUATTERS did the damage and it was so severe that he had to demolish 18 units and rebuild 56 with all the prior rent control out the window.

On any other night, this would have sailed by with a wink and a nod, but not this night. See, I was busy with junk issues and this important piece of information almost sailed by me. We couldn't believe what we were hearing! Are you kidding?

And the council started out wanting to approve it, saying what a great deal that one low-cost apartment in 56 would be! A building that looks like an ice cube in a neighborhood that includes the Julia Morgan Berkeley City Club a block down, the Rockefeller's International House on the street above, and the landmark Hotel Blue Sky across the street. But under the glare of the public, they soon withered and sent it back to the Zoning Adjustments Board where you can bet it will be well-attended.

I hate to use strong language, but these people are nothing less than criminals and corrupt functionaries. It really was disgraceful. We really cannot trust these folks. Things have to change before our entire community is lost to the group of officials on our City Council not just willing, but seemingly eager, to sell out Berkeley residents.

It is very obvious that they subscribe to the idea that money elects people, not voters. Yet, our success in defeating Measure S tells another story.

J. Stitt Wilson, Berkeley's socialist mayor back in 1911, knew the value of a Laundryman and a Real Estate Man. He knew that one cleans things. The other can be quite the opposite.

Dan McMullan is a Commissioner on the Human Welfare and Community Action Commission and Director of the Disabled People Outside Project.

The Ripple in the Lake

by George Wynn

**In the heart
of the Redwood country
where the cold wind
blows in the late
Autumn Fall
I listen to a volunteer
in the soup kitchen
after he offers me Seconds
say, "I go out to the woods
as often as I can (just
like my daughter did
before she got hooked
and died after she
left the military)
to watch a ripple
in the lake
I know I'll never again
see the auburn
of her hair
but I live for that
image of me and her
sitting, watching
a ripple in the lake
and that seems
to make all
the difference
when my emotions
and feelings are
beyond weary."**

The Shape-Shifter and the Psychiatrist

Dr. Baker asked, "Where did you learn this ability?" "There is a training complex on Mars," I replied. The nurse and the psych tech chortled involuntarily. Dr. Baker glared and said, "Maybe a bit of electroconvulsive would zap some of that smartass out of you."

Science Fiction by Jack Bragen

I was fine as a shape-shifter and an immortal until doctors got their sanitized, ignorant hands on me. The first thing Doctor Baker did, when he assessed me with his feeble mind, was order up some Haldol to be administered by force if necessary. Everything changed when that mind-disabling medication took effect.

My senses were deadened. I could barely move. My torso felt stiff as a board. And I realized that my shapeshifting ability was mostly blocked by the antipsychotic drug. For the first time in centuries, I was scared.

It was group time, and I fidgeted in my chair because of the medication's side-effects. I looked around the room and realized others were also fidgeting — and they clearly didn't want to be there.

One man stood up from his seat, was irate and wasn't making any sense. Immediately, the directing psychiatrist told these two burly psych techs that he was to be taken away. They got on both sides of him, each man grabbed an arm, and they walked off with him.

Finally, it was my turn to speak. "I really feel better and I would like to go home," I ventured.

Dr. Baker asked, "What made you beat up the man on 50th Street?"

"He was pimping an underage girl, he was overly assertive with me, and I told him to go to hell."

"Are you a customer of prostitutes often?"

I said, "Never! That guy is scum and he was barking up the wrong tree."

"Settle down, Mr. Stiles. Let the medication take effect. You're a little angry today and we want to see you calm down."

I wanted to say, you're a prick and a sorry excuse for a doctor. But it was going to be impossible to get released if I continued on this angry track. I would need to simulate a crisis and then "a meaningful recovery."

"Sorry, Dr. Baker." It took considerable effort to feign regret.

The psychiatrist apparently didn't buy it. "I will meet with you today, Mr. Stiles."

###

The meeting with the evil psychiatrist didn't go according to his plan. I had some stored reserve power and I was able to telepathically zap him into a stupor. Then I took control over him. Dr. Baker, while he was under my power, issued an order to release me from the hospital. To top it off, I made him write me a prescription for marijuana.

My attempt at escape almost worked. Baker had a more powerful consciousness than I anticipated, and came back to his senses too soon. I stood in front of the nurses' station expecting to be let out the front door of the unit. But then, the head nurse's intercom buzzed.

"Got it, I'll do so right away," the nurse said into his phone.

I found myself flanked by the two gigantic psych techs, and I was escorted to a locked room.

"Behave yourself or we will tie you down to the restraint table."

The door was shut, a formidable door of solid wood. I took a seat on the restraint table since no other furniture was in the room. The room was appointed with a toilet, but no sink or drinking fountain.

What now?

I was tired, and I realized my options were limited. I decided it was time for a nap, and I laid down on the restraint table putting both hands under my left ear, since no pillow had been provided.

###

In the next meeting with Dr. Baker, he had reinforcements in the room, and by this time, the antipsychotic meds had obliterated most of my abilities. So be it. I still had my wits, surprisingly enough. I would use the situation to my maximum advantage.

Dr. Baker spoke. "How did you cause me to have a lapse in memory and to write a release order? Are you a trained hypnotist?"

I replied, "No. I am an extraterrestrial. We have abilities." I was feigning having delusions. I am not really an extraterrestrial.

Dr. Baker stared at me very intently. "Bull," he said. "Where did you learn this ability?"

I said, "There is a training complex on Mars."

The nurse and the psych tech in the room both chortled involuntarily. Baker glared at them. "Sorry," the nurse said. The psych tech didn't apologize, but stopped himself from laughing.

Baker looked at me. "Maybe a bit of electroconvulsive would zap some of that smartass out of you."

I replied, "I demand to speak to an attorney."

Dr. Baker picked up the phone on his desk and put it in front of me. I picked up the receiver and realized I didn't have a phone number to reach anyone, much less an attorney. I put the phone back on its hook. The nurse and psych tech mumbled faintly in a tone of sarcasm.

"Not really from Mars?"

I said, "You can't give me electroshock without my consent."

"Are you sure of that?"

I didn't reply. I was flabbergasted. Dr. Baker smiled.

Baker said, "I want the truth and I want it now."

"I don't know what you're talking about," I answered.

"Yes you do. You have abilities. Where did you get them?"

I replied, "You want me to talk? Then tell these two goons to leave the room..."

###

"I could train you." I paused. "But only in return for my release."

"Why should you trust me?" It was a typical question for an antagonistic psychiatrist.

IS A CRIME AGAINST HUMANITY

Poster art courtesy Madness Network News

I said, "I don't trust you, but what other chance do I have of getting out of here?"

Dr. Baker replied, "Good thinking. You could train me in return for the slight possibility that I'll release you."

"I need to be off all meds for two weeks," I said. "I won't make any trouble."

"You got it."

###

Again I met with Dr. Baker. After two weeks without medication, my powers were almost fully restored.

Baker said, "I heard you got a nasty shaving cut. Where is it?"

I rotated my head to show all parts of my face and neck.

"Wow, nothing is visible. Did you heal that?"

I said, "Let's try you on a shapeshifting technique. I will guide you through a process, and at the end, you will have shapeshifted to look like me."

"Wow." It was all Dr. Baker could say. (What an idiot, I thought.)

Within a few minutes, I guided Baker into a trance and got him to look like me. Then I told him to sit in my seat, which he did. I used my power to give him a telepathic zap, which caused him to become completely unconscious.

Then, I shapeshifted to look like Dr. Baker, and I went into the little closet he had in his office and put on one of his shirts. I sat in his chair, and pressed the intercom button.

"The patient needs immediate electroshock," I said.

Two psych techs entered Doctor Baker's office.

One of them asked, while rubbing his chin, "Um, how big of a zap does he need? He already appears out."

I replied, "I tranquilized him because he was out of hand. He needs the biggest jolt that the equipment can deliver."

The psych tech paused. "Are you sure?"

I replied, "I'm late for a lecture and I don't have all day to argue it. I'm the doctor, remember?"

"Got it. We'll carry out your orders immediately."

"Contact Dr. Johnson and tell him he is on duty. I have to go."

I picked up Baker's giant set of keys from his desk drawer. The psych techs carried Baker away, believing he was me. I made it as far as the parking lot, where I saw there was a parking space reserved for the hospital director. I got in the car and drove five blocks to a bus stop. I shapeshifted again to look like a nondescript doctor, and boarded the bus.

When I got home, I realized that the landlady had been taking care of my cat. I expressed profound gratitude. I got a few necessary items, got in my car, and headed out of town.

I had done this a couple of times before — change identities, that is. If you are an immortal, you learn to do that. People don't understand, they don't like it, and they want to have what you have. I wondered what it would be like to live in Southern California...

###

On television I saw a news piece of how a psychiatrist had accidentally been given a lethal level of electroshock. There was mention of an escaped mental patient, and a picture of my face as it had been before I moved to the Los Angeles area. My new appearance took some effort at first, but eventually became my default appearance.

The End

The Old Roadie

by George Wynn

On the road
driving late at night
I ask my hitchhiker
an old man
with no teeth
"Where you
coming from?"

"Let's just say
I spent a week
in the City
by the Bay.
Living on the street.
made me scared.
San Francisco
gave me itchy feet
and when problems
appear I disappear."

Court Rules Los Angeles Housing Authority Illegally Cut Section 8 Housing Subsidies

by Lynda Carson

In a court ruling that affects thousands of poor Section 8 tenants in Oakland, San Francisco, Berkeley, Richmond, Alameda County, Marin County, Contra Costa County, and millions of other tenants across the nation, the U.S. Ninth Circuit Court of Appeals declared that the Housing Authority of the City of Los Angeles illegally cut subsidies to thousands of Section 8 renters.

During 2004, the Housing Authority of the City of Los Angeles (HACLA) cut Section 8 housing subsidies for about 20,000 low-income residents without giving proper notice in advance, a three-judge panel of the U.S. Ninth Circuit Court of Appeals declared on November 30, 2015.

The Section 8 Housing Choice Voucher Program provides rental assistance to the most vulnerable members of our nation, including woman with children, the elderly, and disabled. Section 8 renters generally pay 30 to 40 percent of the rent to the landlord, and sometimes more, and the housing program pays the rest.

For households who are living in poverty on a fixed income, and households living paycheck to paycheck, any unexpected decrease in their housing subsidies can result in homelessness. This is why the program contains procedural protections designed to ensure that beneficiaries have at least a full year to plan for cutbacks to their rental subsidies.

The cutbacks generally result in rental increases that Section 8 tenants cannot afford, and even with an advance notice of one year, poor families often become homeless because of funding cuts to their Section 8 vouchers.

The three-judge panel agreed with the plaintiffs in this case that the Housing Authority reduced the amount of Section 8 beneficiaries' subsidies without providing a proper adequate notice, in violation of federal and state law. Additionally, the court reversed the grant of summary judgment in favor of the defendants, and directed that summary judgment be entered in favor of the plaintiffs.

Because the court ruled in favor of the Section 8 tenants in the class action suit brought by the Los Angeles Coalition To End Hunger And Homelessness, Barrett Litt, an attorney for the recipients, said damages would run in the millions.

"This decision should not only lead to compensation for the tens of thousands of Los Angeles Section 8 recipients that were hurt by the illegal reduction in benefits going back in 2004-2006, but also protects all Section 8 recipients going forward, wherever they may be," Litt said.

"This decision should not only lead to compensation for the tens of thousands of Los Angeles Section 8 recipients that were hurt by the illegal reduction in benefits going back in 2004-2006, but also protects all Section 8 recipients going forward, wherever they may be."

— Barrett Litt, attorney for Section 8 tenants

According to court documents, the Housing Authority failed to provide comprehensible information to Section 8 beneficiaries about the payment standard change and its effect one year in advance of the change's implementation.

Section 8 tenants Michael Nozzi and Nidia Pelaez, along with the Los Angeles Coalition To End Hunger And Homelessness, sued the Housing Authority for illegally cutting the subsidies for about 20,000 Section 8 households.

The illegal cutbacks to the rental subsidies for the poor Section 8 tenants resulted in many elderly and disabled residents, including families with young children, paying much higher rents that averaged around $104 more per month, the court said.

It took eight years of litigation for yesterday's ruling to occur, and according to reports, the attorney representing the Housing Authority said he will recommend appealing the decision to a larger panel of the Ninth Circuit, and if necessary all the way to the U. S. Supreme Court.

The Section 8 Voucher Program, presently called the Housing Choice Voucher Program, has become the dominant form of federal housing assistance across the nation. With more than 5 million people in 2.1 million low-income families that are currently using vouchers to subsidize their rents, it is a very successful program.

However, the successful program has been unfairly under attack by Republicans for many years, and has faced many funding cuts in recent years as a result of sequestration budget cuts, including additional cuts that occurred from 2004 to 2006, under the Bush administration. Cuts to HUD's subsidized housing programs have taken place as a result of votes by Republicans, and Democrats through the years.

Presently, it is a very uncertain future for Section 8 tenants and public housing tenants. Public housing units are being privatized under the RAD program, and all of HUD's subsidized housing programs have faced budget cuts, with the Republicans willing to shut down the federal government in order to have it their way.

Recently, Senator Rand Paul blocked a funding bill to fund HUD's subsidized housing programs, essentially holding poor families across the nation hostage, until he gets what he wants out of the federal government.

According to records with the Department of Housing and Urban Development (HUD), in Los Angeles there are 49,671 Section 8 units in their inventory, with an additional 23,866 Section 8 units in Los Angeles County. San Francisco has 9,147 Section 8 units. Oakland has 13,424 Section 8 units. Richmond has 1,851 Section 8 units. Berkeley has 1,935 Section 8 units. Alameda has 1,845 Section 8 units. Alameda County has 6,273 Section 8 units. Marin County has 2,153 Section 8 units. Contra Costa County has 6,876 Section 8 units.

Lynda Carson may be reached at tenantsrule@yahoo.com

The Solidarity of Suitcase Clinic

from page 1

We were a pretty eclectic group as we shuffled along the mile from the First Presbyterian Church, where General Clinic is held on Tuesday nights, all the way down to the Berkeley City Hall on Martin Luther King. It was an interesting scene: the traditional social barriers that seem to exist between the homeless and clients dissipated, and some others on the streets even joined our walk.

We arrived at the old City Hall around 8 p.m., just as the agenda of the City Council shifted towards the topic of anti-homeless laws. The entrance of City Hall was blocked as the meeting had reached capacity, but a few clients and Suitcase members were able to weave their way inside. The rest of our group, both Suitcase clients and volunteers, stood outside in the cold, watching the broadcast of the meeting outside on camera.

The environment inside the council chamber was poignant and powerful. Many homeless individuals, as well as other citizens of Berkeley, had spent the night before the meeting in tents and sleeping bags outside City Hall. The line to voice opinions on the anti-homeless ordinances flooded past the doors, but two of our clients, Rafael and Christopher, were able to speak out.

Following our exchange about political pragmatism and the purpose of government from the discussion before, Rafael continued his proposal of an "outside society" — one that would cater to the actual needs of the homeless in Berkeley's community. These anti-homeless laws, according to Rafael, were not the appropriate solution to the problem at hand.

The Suitcase Clinic is organized by UC students and holds community meals and provides medical, dental and legal assistance.

According to Christopher, this new policy is divergent from how the City of Berkeley has treated homelessness in the past. Having been a part of the community for years, as both a professor and homeless individual, Christopher has benefited from the city's mental health care.

Instead of criticizing the homeless, Christopher suggested that the City of Berkeley provide more funding for mental health. Both Rafael's and Christopher's speeches were met with applause.

The City Council meeting continued until about 12:30 a.m. In the wee hours of the morning, the council passed the anti-homeless ordinances. Disappointment filled the room. The vote to pass these laws, and to criminalize the homeless even further, was a failure for Suitcase Clinic and the homeless community as a whole. Yet, harmony still rang amongst those who attended the meeting.

"I attended the City Council meeting, along with other Suitcase Clinic members and clients," said Vanessa Briseno, a SHARE coordinator. "Through our attendance, I think we played a role in empowering our clients who spoke out against the criminalization of homelessness. More importantly, we stood in solidarity with them." The voices of our clients — their speeches, cheers, and applause — remained a victory still for Suitcase.

For Pete Seeger

by Julia Vinograd

No, you are not dead, I saw you singing
"This land is your land" and the mountains sang with you.
I saw you on the lake your magic boat sang to clean
and the ripples touched your feet, pretty active for a dead man.
Your face was young again, lit up by your music,
coaxing out stars to sing counterpoint,
"to everything there is a season."
You kept the wind and the rain in the back pockets
of your blue jeans.
At night you were the man in the moon and your music
smiled down on lovers.
This land you love cannot let you go, orange groves can't ripen
without the light from your eyes.
When you walk thru cities fear and loneliness run hissing
from your music
like feral alley cats and we gaze at each other
in awed recognition. How beautiful the world,
the world that cannot die. You cannot die.
This is where all the flowers are, forever.

Wrestling the Wind

for Jack Hirschman

by Julia Vinograd

It's easy to write about what's wrong with the world, outraged,
accusing, scolding man and God like lazy children
who hadn't done their homework.
It's much harder to keep a vision of what the world should be
behind your smiling eyes
and make us look until we want those faces,
those lives to call our own while centuries wake up.
It's hard to write us outstretched warm hands to hold
when we're alone.
When you're alone.
It's hard to write the world right as spring rain, right as summer
with no more fault-finding than the seasons.
What does it mean to be human, to be fully human?
How big must a poem be to stretch us to our full height
still testing our legs? We need words to open us
like Japanese paper flowers opening in water. All at once.
Against all logic. And yes it's hard.
The poet who makes these words spends his life
wrestling the wind.

The Young Hobo

An Enduring American Tradition

by George Wynn

Relaxing on his bag
at night in a clean
downtown alley
to light up one
of my Camel Non-Filters
he says "Everybody
wants to be good
at something.
I'm good at hoboing
even though the Chamber
of Commerce and
shopkeepers consider
me good for nothing.
I'm an outcast
from coast to coast.
Hobos even before
the Grapes of Wrath
been traveling light and
carefree about Tomorrow:
Long live Today!
I always say
regardless of how much
sorrow and vagrant jail
cells I've endured
on the road or rails.
I love to kiss the
open road smack
on the mouth!
Everything that
high techies are,
I'm not.
A little cash helps
but ambition
and materialism
are unthinkable
as long as I can
stumble along
the wrong side
of the tracks
cap above
my eyebrows
to a ripe old age
whistling a song
made of mist
showing my
sly smile
to the sky
and cry
and cry
for women who
abandoned me
or I abandoned them.
Thanks for the smoke."
"Keep the pack."

Sixth Street Nights

by George Wynn

"Too many people
hate homeless
people for being
homeless," he said.
"Why it don't make
no damn sense!
I worked all my life
before my accident
then my workmen's
comp ran out and
dammit here I am.
I'm 60 now
bad eye blur and all
I can't miss
the passers-by
furtive negativity
of me (one ill-clad
sorry wrinkled-skinned
sidewalk sleeper).
Should be a sin
to be poor.
All men and women
and children are
our brothers
and sisters.
These 3 frayed
blankets don't seem
to keep the wind
nor cold out of
these old bones
in front of this
storefront door
no matter how
many times
I roll myself up.
I may be sore
but my poetry
books from the
thrift shop do kinda
warm my spirit."

Brother of Mine

by Carol Denney

people in houses are sure that you want
to be out in the wind and the cold
people in houses grow more and more certain
while we just grow tired and old
some of the people who live here outside
can remember when there was a day
when if you found someone curled up in a doorway
you'd welcome them home and you'd say

brother of mine are you out in the rain
do you need a hot meal or a hand
brother of mine you don't have to explain
some of us here understand

we once had plenty of housing and jobs
and a minimum wage that made sense
so many vacancies even the greediest
landlord had reasonable rents
they bulldozed the low-income housing away
and they built for the luxury crowd
they've twisted the meaning of sharing today
from the voice I can still hear out loud

brother of mine are you out in the rain
do you need a hot meal or a hand
brother of mine you don't have to explain
some of us here understand

getting rich quick is the game of today
in tech and in real estate too
and every equation just happens to leave out
what happens to me and to you
the poets and artists are footnotes
instead of the core of what happens today
and people in houses hear little or nothing
outside cause they're all locked away

brother of mine are you out in the rain
do you need a hot meal or a hand
brother of mine you don't have to explain
some of us here understand
some of us here understand

Sixth Street Nights

by George Wynn

"Too many people
hate homeless people
for being homeless," he said.
"Why it don't make
no damn sense!"
I worked all my life
before my accident
then my workmen's
comp ran out and
dammit here I am.
I'm 60 now
bad eye blur and all
I can't miss
the passers-by
furtive negativity
of me (one ill-clad
sorry wrinkled-skinned
sidewalk sleeper).

The Wheelchair Jogger

by Claire J. Baker

On a dusty track in total
sunlight, wearing sky-blue
warm-up suit and running shoes,
low in her chair, head bent,
lips tightened, stunted arms
pulling hard, slowly she rolls
around the track, counting
one by one the laps.

Young college sprinters
gazelle beyond her snail pace
like wind. Yet they realize
how hard she pulls.
Runners who look back
(as if to wish her a good run)
tend to lighten her arms
and their own legs.

Remembering Poet Mary Rudge

by Claire J. Baker

Dear Mary, we hadn't known
you were a nun. Did you reach
your Dominican heaven?
Or as the one who wrote,
"We who are luminous,"
are you enshrined
on a luminous island —
a kind of stepping stone
to glory?

Looking way back, the Bay Area
poetry scene was ho-hum
before your meteoric arrival.
I'll extract from your poetic
curriculum vitae two words:
peace, justice.
You arrived stimulated,
activated, ready.
And you took us with you.

Your good works
shall remain remembered.
And your warming sign-off
"In poetry" rings
as valid now as ever.
You were activated,
stimulated, ready.
And you took us with you.